

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	*	Case No. 08-CR-640 (JG)
	*	
	*	Brooklyn, New York
	*	August 26, 2009
v.	*	
	*	
ROBERT SIMELS, et al.,	*	
	*	
Defendants.	*	
	*	
* * * * *		

TRANSCRIPT OF CRIMINAL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government:	DANIEL D. BROWNELL, ESQ. Asst. United States Attorney United States Attorney's Office 271 Cadman Plaza East Brooklyn, NY 11201
Sureter on behalf of the Defendant:	MR. RONALD LEMOWITZ

Proceedings recorded by electronic sound recording,
transcript produced by transcription service.

1 (Proceedings commenced at 3:15 p.m.)

2 THE CLERK: Criminal cause for a status conference,
3 case number 08-CR-640, the United States versus Robert
4 Simels. Counsel, please state your names for the record.

5 MR. BROWNELL: Daniel Brownell for the government.
6 Good afternoon, Your Honor.

7 THE COURT: Good afternoon.

8 THE SURETER: Ronald Lemowitz. Good afternoon.

9 THE COURT: Good afternoon.

10 MR. BROWNELL: Your Honor, this gentleman is a
11 sureter for Mr. Simels.

12 His situation has changed since last Thursday when
13 he was convicted of a number of counts including obstruction
14 of justice and Judge Gleeson requested that the sureters be
15 informed of potential increased risk of flight and therefore
16 financial loss to them should that happen. So that's why we
17 are here.

18 The bail conditions were changed in that the amount
19 of the surety -- the amount of the bond, I'm sorry, remained
20 at \$3.5 million.

21 It is further secured by an additional property
22 that Mr. Simels put up and then additionally, Mr. -- it was
23 ordered that Mr. Simels be held on home confinement between
24 now and his sentencing on November 20th.

25 THE COURT: So are you familiar with all the

1 information that was just provided?

2 THE SURETER: Yes, Your Honor.

3 THE COURT: Have you kept in close contact with Mr.
4 Simels throughout these proceedings?

5 THE SURETER: Yes, I have.

6 THE COURT: Did you follow the trial and the
7 verdict and the outcome?

8 THE SURETER: I did, Your Honor.

9 THE COURT: So do you appreciate that circumstances
10 have changed since perhaps the bond was originally signed?

11 THE SURETER: Not to my detriment, Your Honor.

12 THE COURT: Not to yours? All right.

13 But to someone -- do you understand why the
14 prosecution and Judge Gleeson thought it necessary for you to
15 at least be apprised of these new facts?

16 THE SURETER: Certainly. I am a lawyer, Your
17 Honor.

18 THE COURT: Okay.

19 THE SURETER: I have been practicing for almost 40
20 years.

21 THE COURT: All right.

22 THE SURETER: I know I look a lot younger, but I'm
23 familiar with the process.

24 THE COURT: Okay. So do you have any concerns at
25 all about being on this bond?

1 THE SURETER: Not at all.

2 THE COURT: All right. All right. Well, thank you
3 for coming in.

4 THE SURETER: Thank you, Judge.

5 (Proceedings concluded at 3:18 p.m.)

6 I, CHRISTINE FIORE, Certified Electronic Court
7 Reporter and Transcriber and court-approved transcriber,
8 certify that the foregoing is a correct transcript from the
9 official electronic sound recording of the proceedings in the
10 above-entitled matter.

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13 _____ December 28, 2009

14 Christine Fiore

15 Transcriber
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